

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

§

V.

§

§

CASE NO. 4:10cr21

§

(Judge Schell)

PAUL POGUE

§

FINDINGS OF FACT AND RECOMMENDATION ON GUILTY PLEA
BEFORE THE UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636(b), this matter has been referred by the District Court for administration of the guilty plea and allocution under Rule 11 of the Federal Rules of Criminal Procedure.

On February 24, 2010, this cause came before the undersigned United States Magistrate Judge for guilty plea and allocution of the Defendant on Count One of an Information. Count One charges a violation of 26 U.S.C. § 7206(1). After conducting said proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Court finds:

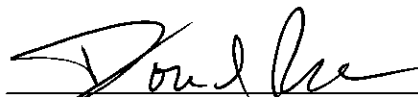
a. That the Defendant, after consultation with counsel of record, has knowingly and voluntarily consented to the administration of the Guilty Plea and Allocution in this cause by a United States Magistrate Judge subject to a final approval and imposition of sentence by the District Court.

b. That the Defendant and the Government have entered into a plea agreement which has been filed and disclosed in open court pursuant to Fed. R. Crim. P. 11(c)(2).

c. That the Defendant is fully competent and capable of entering an informed plea, that the Defendant is aware of the nature of the charges and the consequences of the plea, and that the plea of guilty is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense.

IT IS THEREFORE RECOMMENDED that the District Court accept the Guilty Plea of the Defendant, and that PAUL POGUE should be finally adjudged guilty of the offense listed above.

SIGNED this 24 day of February, 2010.

A handwritten signature in black ink, appearing to read "Don D. Bush", written over a horizontal line.

DON D. BUSH
UNITED STATES MAGISTRATE JUDGE

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

V.

PAUL POGUE

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CASE NO. 4:10cr21
(Judge Schell)

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND FINDING
DEFENDANT GUILTY ON COUNT ONE OF THE INFORMATION

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Don D. Bush regarding Defendant's plea of guilty to Count One of the Information in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the guilty plea of the Defendant. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge are hereby ADOPTED.

It is finally ORDERED that the Court finds Defendant GUILTY on Count One of the Information in the above-numbered cause.